

PR 04 0226

FILED

EXECUTIVE DEPARTMENT
in the office of the Secretary of State
of the State of California

NOV - 1 2004

STATE OF CALIFORNIA

KEVIN SHELLEY, Secretary of State

By *Marion Shelley*
Deputy Secretary of State



PROCLAMATION
OF A STATE OF EMERGENCY

WHEREAS, conditions of extreme peril to the safety of persons and properties exist within the County of Inyo caused by a strong thunderstorm that struck Southern California and caused flash flooding in the Death Valley region of California on August 15, 2004; and

WHEREAS, the storm brought unusually heavy precipitation and caused flash flooding, washouts and heavy damage to the highway infrastructure in the County of Inyo; and

WHEREAS, two people lost their lives, and Death Valley National Park and a 25-mile stretch of State Route 190 has been closed indefinitely; and

WHEREAS, the level of damage to the highways is beyond the control of the services, personnel, equipment and facilities of Inyo County, thereby requiring a proclamation of a state of emergency; and

WHEREAS, under the authority of the Emergency Services Act, section 8858(b) of the Government Code, I find that a State of Emergency exists with respect to California's transportation infrastructure within the County of Inyo.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, in accordance with the authority invested in me by the Emergency Services Act, and in particular sections 8625 and 8558(b) of the Government Code, HEREBY PROCLAIM A STATE OF EMERGENCY in Inyo County.

IT IS FURTHER ORDERED that the Governor's Office of Emergency Services provide disaster assistance under the authority of the California Disaster Assistance Act to affected local governments.

IT IS ORDERED that the California Department of Transportation formally request immediate assistance through the Federal Highway Administration's Emergency Relief Program, 23 U.S.C. §125, in order to obtain federal assistance for highway repairs or reconstruction in Inyo County.

IT IS ORDERED that statutes, rules and regulations, as they apply to the excavation of rock, gravel, sand or soil from public or private lands under the Surface Mining and Reclamation Act (Public Resources Code, Chapter 9) are suspended, if said excavation is for the sole purpose of reconstructing state or local transportation facilities damaged by the said storm.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of Secretary of State and that widespread publicity and notice be given to this proclamation.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 1st day of November 2004.

Arnold Schwarzenegger
ARNOLD SCHWARZENEGGER
Governor of California

ATTEST:

Kevin Shelley
KEVIN SHELLEY
Secretary of State